

(Excerpt from Ex. 3834)

EXCERPT FROM THE RECORD OF THE TRIAL  
UNITED STATES OF AMERICA vs SHIGERU SANADA, et al

Before the  
MILITARY COMMISSION  
Convened by the  
COMMANDING GENERAL  
United States Army Forces  
CHINA.

UNITED STATES OF AMERICA :

-vs- :

PUBLIC TRIAL

SHIGERU SANADA :

YUSHI WAKO :

RYUHEI OKADA :

SOTOJIRO TATSUTA :

VOLUME III

PAGE 276

SHANGHAI, CHINA.

DATE 1 MAY 1946

\* \* \* \* \*

Defense Transcript Exhibit 8  
Statement by TOJO, Hideki

\* \* \* \* \*

I as the Minister of War at the time of the trial of the 'Doolittle Fliers' who attacked the Japanese mainland on 18 April 1942, attest to the following facts for Lt Gen SANADA Shigeru:

1. That the aforementioned POWs were tried in Shanghai by order of the CHU-O (I do not clearly recall whether or not it was by order of the Grand Imperial Hqs or the Minister of War. Whenever CHU-O is used in the following sentences, the above meaning will apply).

2. That the basic regulations governing this trial were issued by the CHU-O: that upon receipt of these regulations, the Army CG must not deviate from such regulations.

3. That eight (8) POWs were sentenced to death was reported to the CHU-O.

4. That the sentences of five (5) of the aforementioned eight (8) POWs were mitigated by the graciousness of the Emperor who exercised his supreme authority.

5. That the aforementioned special favor of mitigation and the approval of the execution of the death sentence for the remaining three (3) were issued by the CHU-O.

6. That the President of the Court (Judge) alone has the authority to pass any sentence; that the Army CG has no authority to void or to mitigate such sentences;....

(p. 1)

辯護士  
法廷證  
第

第三〇四號

亞太川川百水部對澤出茂良ノ他ノ裁判記録ヨリノ抜粹  
在四四台飛機墜重司令官ノ自案ニカカル重機委任曾ニ於テ  
水部對  
澤出茂  
和光ユ一モイ  
岡田隆平  
山外大郎

公判

第三卷  
中國上証

二七六頁ヨリ  
一九四六年五月一日

辯護士  
法廷證  
第八號  
日本東亞英機墜沈

私ハ一九四二年四月十八日日本本エラ攻撃シタルドワリツトル號飛行士  
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マス

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 致シマス）  
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 三 石八名ノ浮揚ハ死刑ニ判決セラレタト中央ニ報告セラレマシタ  
 四 上記八名ノ浮揚ノ中五名ノ宣告ハ大體ヲ行使サレル陛下ノ御召ニ依ッ  
 テ裁判セラレマシタ  
 五 上記ノ裁判ノ特別ノ恩恵ハ残り三名ノ死刑宣告ノ執行ノ許可ハ中央ニ  
 依ツテ行ハレマシタ  
 六 裁判長ノミガ判決ヲ與フル権限ヲ有シテ居リ、軍司令官ハ判決ヲ無効  
 ナラシメ又ハカナル判決ノ輕重ヲナス權限ヲ有シマセン